IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 23RD MAY 2007 / 2ND JYAISHTA 1929

WP(C).No. 1712 of 2007(D)

PETITIONER:

----

1. JOSEPH, S/O.GEORGE,
   MOTTAKKAVILAYIL, KOYIVILA P.O.,
   THEVALAKKARA, KOLLAM.

2. ANJILA, W/O.JOSEPH,
   MOTTAKKAVILAYIL, KOYIVILA P.O.,
   THEVALAKKARA, KOLLAM.

BY ADV. SRI.SASTHAMANGALAM S. AJITHKUMAR
SRI.RENJITH B.MARAR
SRI.DILEEP P.PILLAI
SMT. LAKSHMI RENJITH
SRI.V.SHYAMOHAN

RESPONDENTS:

----

1. SECRETARY, KARUNAGAPPALLY CO-OPERATIVE
   AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD.,
   NO.Q.467, KARUNAGAPPALLY.

2. SPECIAL SALE OFFICER, CO-OPERATIVE
   AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD.,
   KARUNAGAPPALLY.

R1 BY ADV. SRI.P.G.PARAMESWARA PANICKER (SR.)
SRI.P.GOPAL

R2 BY GOVT. PLEADER SRI. P.N. SANTHOSH.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

- -

WP.(C) No.1712 of 2007

- -

Dated this the 23rd day of May, 2007

JUDGMENT

Petitioners challenge the coercive steps taken (Ext.P4) for enforcement of recovery of the loan taken by the petitioners.

2. Heard counsel for the petitioners and the respondents.

3. Learned counsel for the petitioners would submit that the petitioners may be permitted to pay the amount remaining to be paid in instalments. I feel that the request of the petitioners is reasonable and should be granted. Accordingly the writ petition is disposed of as follows:

The petitioners are permitted to pay off the amount remaining to be paid in six equal monthly instalments, the first of which shall be payable on or before 20.6.2007. The petitioners are to pay the remaining instalments on or before the 20th of the consecutive months. If the petitioners do not remit the amount as aforesaid, it shall be open to the Bank to proceed against the petitioners in accordance with law. Needless to say if the petitioners pay the instalments as aforesaid, the proceedings against the petitioners shall be kept in abeyance.

(K.M. JOSEPH, JUDGE)

sb